

**Congress of the United States**  
**Washington, DC 20515**

June 8, 2023

The Honorable Merrick B. Garland  
Attorney General  
U.S. Department of Justice  
950 Pennsylvania Avenue, N.W.  
Washington, D.C. 20530

Attorney General Garland,

We are writing to bring to your attention compelling evidence suggesting that TikTok CEO, Shou Zi Chew, provided false testimony under oath during his appearance before the House Committee on Energy and Commerce regarding the data-security practices of TikTok.<sup>1</sup>

On March 23, 2023, in response to Member questions of whether any American data was stored or accessible in China, Chew stated under oath, “American data has always been stored in Virginia and Singapore in the past, and access of this is on an as-required basis by our engineers globally.”<sup>2</sup> However, recent findings have revealed that these statements were inaccurate. It has come to light, through a Forbes report on May 30, 2023, that TikTok collected sensitive data, such as Social Security numbers and tax identification numbers, from numerous TikTok users and businesses.<sup>3</sup> Shockingly, this data was stored on servers located in China and was accessible to employees of ByteDance, TikTok's Chinese parent company.

The implications of this revelation are deeply concerning. The Chinese Communist Party (CCP) maintains close ties with ByteDance, and intelligence officials have consistently cautioned against the risks associated with this platform.

This is not the first time that TikTok executives have presented false information to Congress related to their data practices. In October 2021, TikTok Head of Public Policy Michael Beckerman testified under oath to the Senate Committee on Commerce, Science, and Transportation that a “world-renowned, U.S.-based security team” decides who gets access to American data.<sup>4</sup> A June 2022 report detailing the recordings of at least eight TikTok employees revealed that in fact, U.S. employees often had to turn to their colleagues in China to determine how American user data was flowing, and China-based employees of ByteDance had repeatedly accessed nonpublic data about U.S. TikTok users.<sup>5</sup>

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<sup>1</sup> <https://docs.house.gov/meetings/IF/IF00/20230323/115519/HHRG-118-IF00-Transcript-20230323.pdf>

<sup>2</sup> [https://www.youtube.com/watch?v=kcRHM6JzZ\\_k](https://www.youtube.com/watch?v=kcRHM6JzZ_k)

<sup>3</sup> <https://www.forbes.com/sites/alexandralevine/2023/05/30/tiktok-creators-data-security-china/?sh=16333dad7048>

<sup>4</sup> <https://www.commerce.senate.gov/2021/10/protecting-kids-online-snapchat-tiktok-and-youtube>

<sup>5</sup> <https://www.buzzfeednews.com/article/emilybakerwhite/tiktok-tapes-us-user-data-china-bytedance-access>

Further, a former ByteDance executive recently confirmed that the CCP retains comprehensive access to all company data.<sup>6</sup> In a legal filing against the company, the executive said that at ByteDance, members of a CCP committee inside the company had access to a “superuser” credential to view all data collected by ByteDance. Additionally, ByteDance maintained a “backdoor channel” for CCP access to U.S. user data.<sup>7</sup>

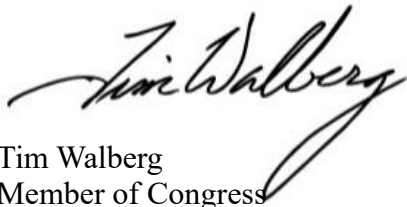
This recent filing also contradicts Mr. Chew’s statements to the committee, where he stated in his written testimony, “I understand that there are concerns stemming from the inaccurate belief that TikTok’s corporate structure makes it beholden to the Chinese government or that it shares information about U.S. users with the Chinese government. This is emphatically untrue.”<sup>8</sup>

The fact that TikTok stored sensitive information about its American users in China and allowed direct access to the CCP, which Chew denied under oath, only reinforces the notion that TikTok can be exploited as a powerful tool for espionage and CCP influence.

Considering these alarming developments, it is imperative that we hold Chew and TikTok accountable for his false statements regarding crucial facts of the company’s operations. We request that your department conduct a thorough investigation into whether Chew committed perjury by falsely asserting that TikTok did not store Americans’ data in China.

We appreciate your attention to this matter and look forward to your actions in addressing the concerns raised.

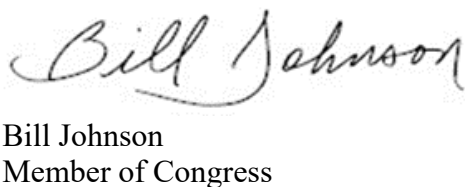
Sincerely,



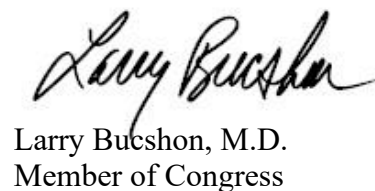
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Bill Johnson  
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Larry Bucshon, M.D.  
Member of Congress

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<sup>6</sup> <https://www.cnn.com/2023/05/15/tech/bytedance-employee-lawsuit-china-data-intl-hnk/index.html>

<sup>7</sup> <https://www.wsj.com/articles/former-bytedance-executive-claims-chinese-communist-party-accessed-tiktoks-hong-kong-user-data-e9d5554f>

<sup>8</sup> [https://d1dth6e84htgma.cloudfront.net/Written\\_Testimony\\_of\\_Shou\\_Chew\\_c07504eccf\\_084e8683f3.pdf?updated\\_at=2023-03-22T03:10:22.760Z](https://d1dth6e84htgma.cloudfront.net/Written_Testimony_of_Shou_Chew_c07504eccf_084e8683f3.pdf?updated_at=2023-03-22T03:10:22.760Z)



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